

A RESOLUTION BY

BY FINANCE/EXECUTIVE COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN APPROPRIATE CONTRACTUAL AGREEMENT WITH FIRST ALBANY CAPITAL INC. AND BACKSTROM MCCARLEY BERRY & CO. LLC FOR BANKING SERVICES TO UNDERWRITE 2004 NORTHWEST ATLANTA REDEVELOPMENT AND TAX ALLOCATION DISTRICT NUMBER THREE - PERRY/BOLTON BONDS IN AN AMOUNT NOT TO EXCEED \$75 MILLION; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta, Georgia (the "CITY") redevelopment authority, the Atlanta Development Authority, has undertaken the redevelopment of the Northwest Atlanta Tax Allocation District Number Three - Perry/Bolton project; and

WHEREAS, it will be necessary to issue up to \$75 million in tax increment-backed bonds to fund a portion of the redevelopment; and

WHEREAS, a syndicate of investment banking firms have been identified who are willing and able to assist the City in selling such bonds; and

WHEREAS, it is necessary that the City enter into an appropriate agreement with the recommended investment bankers;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor or her designee be and is hereby authorized to execute an agreement for investment banking services in connection with the issuance with up to \$75 million in bonds with the following team: First Albany Capital Inc. as senior manager and Backstrom McCarley Berry & Co., LLC. as co-manager.

BE IT FURTHER RESOLVED, that the City Attorney be and is hereby directed to prepare an appropriate contractual agreement and to approve same as to form for execution by the Mayor.

BE IT FURTHER RESOLVED THAT the selected underwriting team shall be authorized to identify additional underwriters to serve as local co-managers or as members of a local selling group for the 2004 Northwest Atlanta Redevelopment and Tax Allocation District Number Three Perry/Bolton Bonds so long as the selected firms have been pre-qualified by the City of Atlanta as senior managers or co-managers.

BE IT FURTHER RESOLVED THAT should the selected underwriting team identify additional underwriters to serve as local co-managers or as members of a local selling group for the 2004 Northwest Atlanta Redevelopment and Tax Allocation District Number Three Perry/Bolton Bonds, the total fees charged to the City shall not increase due to the addition of underwriters.

BE IT FINALLY BE RESOLVED, that this agreement shall not become binding on the City and the City shall incur no liability upon same until such contract has been executed by the Mayor and delivered to the Contractor.

OMC Amendment Incorporated by WHG 5/21/04

A true copy,

Phonla Daughin Johnson
Municipal Clerk

ADOPTED as amended by Council
APPROVED by the Mayor

April 19, 2004
April 27, 2004

RCS# 5593
4/19/04
4:35 PM

Atlanta City Council

Regular Session

04-R-0455 AGRMNT W/FIRST ALBANY CAPITAL/BACKSTROM
 MCCARLEY BERRY/UNDERWRITE \$75 MILLION
 ADOPT AS AMEND

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	NV Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	NV Muller	Y Boazman	NV Woolard

RCS# 5592
4/19/04
4:34 PM

Atlanta City Council

Regular Session

04-R-0455 AGRMNT W/FIRST ALBANY CAPITAL/BACKSTROM
 MCCARLEY BERRY/UNDERWRITE \$75 MILLION
 AMEND#1/MADOX#1

YEAS: 12
NAYS: 1
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	NV Fauver	Y Martin	Y Norwood
Y Young	N Shook	Y Maddox	Y Willis
Y Winslow	NV Muller	Y Boazman	NV Woolard

RCS# 5591
4/19/04
4:12 PM

Atlanta City Council

Regular Session

04-R-0455 AGRMNT W/FIRST ALBANY CAPITAL/BACKSTROM
 MCCARLEY BERRY/UNDERWRITE \$75 MILLION
 RECONSIDER

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 6
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	NV Fauver	NV Martin	NV Norwood
Y Young	Y Shook	Y Maddox	NV Willis
Y Winslow	NV Muller	Y Boazman	NV Woolard

RCS# 5563
3/15/04
5:22 PM

Atlanta City Council

Regular Session

04-R-0455

AGRMNT W/FIRST ALBANY CAPITAL/BACKSTROM
MCCARLEY BERRY/UNDERWRITE \$75 MILLION
ADOPT

YEAS: 6
NAYS: 5
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 1
ABSENT 2

Failed

Y Smith	N Archibong	E Moore	Y Mitchell
Y Starnes	Y Fauver	B Martin	N Norwood
N Young	Y Shook	NV Maddox	N Willis
B Winslow	Y Muller	N Boazman	NV Woolard

04-R-0455



CITY OF ATLANTA

SHIRLEY FRANKLIN
MAYOR

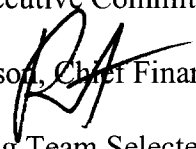
DEPARTMENT OF FINANCE
68 MITCHELL STREET, S.W., SUITE 11100
ATLANTA, GEORGIA 30335-0312
TEL (404) 330-6454 · FAX (404) 658-6667

RICHARD J. ANDERSON
CHIEF FINANCIAL OFFICER
randerson@ci.atlanta.ga.us

March 10, 2004

MEMORANDUM

TO: Finance/Executive Committee Members

FROM: Rick Anderson, Chief Financial Officer 

SUBJECT: Underwriting Team Selected for Perry/Bolton Tax Allocation District
Bond Financing

The following is provided for your information relating to the names and addresses of the selected bond underwriters for the subject financing.

Managers – First Albany Capital (50%) and Backstrom McCarley Berry & Co., LLC.
(MBE) (50%)

First Albany Capital Inc.

Russell Goings – Senior Vice President
445 South Figueroa Street, Suite 2980
Los Angeles, California 90071-1601

Wholly owned subsidiary of First Albany Companies, Inc., a publicly owned and traded corporation

Backstrom McCarley Berry & Co., LLC

Leonard Berry – Principal/Managing Director
115 Samsone Street, Mezzanine A
San Francisco, California 94104

AABE/DBE Firm owned and managed by its employees

Other Principals:

Don Backstrom

Vincent McCarley

I hope that this information is adequate, please let me know if any additional information is needed.



CITY OF ATLANTA

SHIRLEY FRANKLIN
MAYOR

DEPARTMENT OF FINANCE
68 MITCHELL STREET, S.W., SUITE 11100
ATLANTA, GEORGIA 30335-0312
TEL (404) 330-6454 · FAX (404) 658-6667

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CHIEF FINANCIAL OFFICER
randerson@ci.atlanta.ga.us

March 10, 2004

MEMORANDUM

TO: Finance/Executive Committee Members

FROM: Rick Anderson, Chief Financial Officer

SUBJECT: Underwriting Team Selected for Eastside and Westside Tax Allocation District Bond Financing

The following is provided for your information relating to the names and addresses of the selected bond underwriters for the subject financing.

Senior Managers – A. G. Edwards (70%) and Siebert Brandford Shank & Co. (MBE/FBE) (30%)

A.G. Edwards & Sons, Inc.

Dick Layton - Managing Director/Manager
3399 Peachtree Road, N.E.
Atlanta, Georgia 30326

Public corporation, local Atlanta Office

Siebert Brandford Shank & Co., LLC

Ms. Suzanne Shank – President and CEO
660 Woodward Avenue, Suite 2450
Detroit, Michigan 48226

MBE/FBE Firm

Other Principals:

Muriel Siebert (**Partner**)

Napoleon Brandford, III (**Chairman**)

I hope that this information is adequate, please let me know if you need additional information.

**COUNCIL FLOOR AMENDMENT
APRIL 19, 2004**

**COUNCILMEMBERS JIM MADDOX, NATALYN
ARCHIBONG AND C.T. MARTIN
RESOLUTION 04-R-0455**

Amend Resolution by adding additional "Resolved" clauses, which shall read as follows:

"BE IT FURTHER RESOLVED THAT the selected underwriting team shall be authorized to identify additional underwriters to serve as local co-managers or as members of a local selling group for the 2004 Northwest Atlanta Redevelopment and Tax Allocation District Number Three – Perry/Bolton Bonds so long as the selected firms have been pre-qualified by the City of Atlanta as senior managers or co-managers.

BE IT FURTHER RESOLVED THAT should the selected underwriting team identify additional underwriters to serve as local co-managers or as members of a local selling group for the 2004 Northwest Atlanta Redevelopment and Tax Allocation District Number Three – Perry/Bolton Bonds, the total fees charged to the City shall not increase due to the addition of underwriters. "

WAG
OK

Approved by ECS

6

**ITEMS
REMOVED
FROM
CONSENT AGENDA**

I.D.#: 04-R-0455
PAGE: 10
BY: Councilmember Archibong
COMMITTEE: Fin/Ex

DATE: 3/15, 2004



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BY FINANCE/EXECUTIVE COMMITTEE

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04 04 55
(Do Not Write Above This Line)

A RESOLUTION BY:
FINANCE/EXECUTIVE COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR
TO ENTER INTO AN APPROPRIATE CON-
TRACTUAL AGREEMENT WITH FIRST ALBANY
CAPITAL INC. AND BACKSTROM MCCARLEY
BERRY & CO. LLC. FOR BANKING SERVICE
TO UNDERWRITE 2004 NORTHWEST ATLANTA
REDEVELOPMENT AND TAX ALLOCATION
DISTRICT NUMBER THREE - PERRY/BOLTON
BONDS IN AN AMOUNT NOT TO EXCEED \$75
MILLION; AND FOR OTHER PURPOSES.

03/15/04 - Stanes Saved Notice
to Reconsider at Next
Meeting of Council 04/19/04

ADOPTED BY

APR 19 2004

As Amended
COUNCIL

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☐ PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

FINANCE
Date 03-04
Chair _____

Action
Fav, Adv, Hold (see rev. side)
Other _____

Members

Refer To _____

Committee _____

Date _____

Chair _____

Action
Fav, Adv, Hold (see rev. side)
Other _____

Members _____

Committee

Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other _____

Members

Refer To _____

Committee _____

Date _____

Chair _____

Action
Fav, Adv, Hold (see rev. side)
Other _____

Members _____

Refer To

Refer To

FINAL COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd ☐ 3rd

☒ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED
APR 19 2004

COUNCIL PRESIDENT PROTOM

CERTIFIED
APR 19 2004

Paula Dunning
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED
APR 27 2004
MAYOR